

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**JACK E. KAHLO,**

**Defendant.**

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**CASE NO. 8:08CR158**

**ORDER**

This matter is before the Court on the Defendant's pro se motion to appoint new counsel filed through defense counsel (Filing No. 64). Because a notice of appeal has been filed, this Court has no jurisdiction to rule on this matter.

IT IS ORDERED that the Clerk forward the Defendant's motion to appoint new counsel (Filing No. 64) to the Eighth Circuit Court of Appeals and remove the motion from this Court's pending motion list.

DATED this 2<sup>nd</sup> day of February, 2009.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge